

FILED
DEC 05 2008
RACHELLE M. RESNICK
CLERK SUPREME COURT
BY

Supreme Court
No. SB-08-0139-D

Disciplinary Commission
Nos. 06-0230, 06-1633, 07-0013

JUDGMENT AND ORDER

1. Within thirty days of reinstatement, Respondent shall contact the Director of MAP and schedule a MAP assessment. Respondent thereafter shall enter into a probation contract based on the recommendations of the MAP director or designee. The period of probation shall run from the date that all parties have signed the probation contract and will conclude two years from that date.
2. Within thirty days of reinstatement, Respondent shall contact the Director of LOMAP and schedule a LOMAP audit. Respondent thereafter shall enter into a probation contract based on the recommendations of the LOMAP director or designee. The period of probation shall run from the date that all parties have signed the probation contract and will conclude two years from that date.
3. Within thirty days of reinstatement, Respondent shall contact the Director of TAP. Respondent shall thereafter enter into a Memorandum of Understanding based on recommendations of the TAP director or designee. Respondent shall also attend TAEPP during the term of probation. Respondent shall contact Gloria Green, Program Coordinator, at (602) 340-7278 to schedule his attendance at TAEPP.

4. In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information, bar counsel shall file with the imposing entity a Notice of Non-Compliance, pursuant to Rule 60(a)(5), Ariz.R.Sup.Ct. The Hearing Officer shall conduct a hearing within thirty days after receipt of said notice, to determine whether the terms of probation have been violated and if an additional sanction should be imposed. In the event there is an allegation that any of these terms have been violated, the burden of proof shall be on the State Bar of Arizona to prove non-compliance by clear and convincing evidence.

IT IS FURTHER ORDERED that Respondent shall comply with all the provisions of Rule 72, Rules of the Supreme Court of Arizona, including, but not limited to, Rule 72(a), which requires that Respondent notify all of his clients, within ten (10) days from the date hereof, of his inability to represent them and that he should promptly inform this Court of his compliance with this Order as provided in Rule 72(e).

IT IS FURTHER ORDERED that Respondent shall comply with all rule provisions regarding reinstatement proceedings.

IT IS FURTHER ORDERED that Respondent shall be assessed costs and expenses of the disciplinary proceedings as provided in Rule 60(b).

DATED this 5th day of December, 2008.

The foregoing instrument is a full, true and correct copy of the original on file in this office.

ATTEST

Rachelle M. Resnick, Clerk of the Supreme Court
State of Arizona

By

Armen P. Luker Deputy

Rachelle M. Resnick
Rachelle M. Resnick
Clerk of the Court

TO:

William D. Howell, III, Respondent (Certified Mail, Return Receipt and Regular Mail)
Denise M. Quinterri, Respondent's Counsel
Stephen P. Little, Bar Counsel
Honorable H. Jeffrey Coker, Hearing Officer 7N
Leticia V. D'Amore, Disciplinary Clerk (Cert. Copy)
Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona (Cert. Copy)
Molly Dwyer, Clerk, United States Court of Appeals for the Ninth Circuit (Cert. Copy)
Richard Weare, Clerk, United States District Court, District of Arizona (Cert. Copy)
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